

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

HUDSON SPECIALTY INSURANCE COMPANY

PLAINTIFF/

COUNTER-DEFENDANT

v.

CIV NO: 5:17-cv-00137-DCB-MTP

TALEX ENTERPRISES, LLC; JUBILEE PERFORMING
ARTS CENTER, INC.; TERRANCE L. ALEXANDER; and the
BOARD OF MAYOR AND SELECTMEN
OF MCCOMB, MISSISSIPPI, et al.

DEFENDANTS/

COUNTER-CLAIMANTS

ORDER

This matter is before the Court on Plaintiff/Counter-Defendant Hudson Specialty Insurance Company ("Hudson")'s Motion to Dismiss. [ECF No. 306]. Hudson moves to dismiss Counts I and II of its Second Amended Complaint [ECF No. 121]. Counts I and II request that the Court rescind Hudson insurance Policy Nos. HBD10019191 and HBD10027329 (the "Subject Policies") and declare those policies void ab initio. Defendants/Counter-Claimants do not object to the voluntary dismissal.

Rule 41(a)(2) of the Federal Rules of Civil Procedure, allows a court to dismiss an action at the plaintiff's request if the court considers the request to be proper. Having read the Motion, applicable statutory and case law, and being otherwise

fully informed in the premises, the Court finds that Hudson's request for a voluntary dismissal of Counts I and II is well taken.

Accordingly,

IT IS HEREBY ORDERED that Hudson Specialty Insurance Company's Motion [ECF No. 306] is GRANTED.

SO ORDERED this the 23rd day of July, 2020.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE